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SPECIFIC GROUPS AND INDIVIDUALS: OTHER VULNERABLE GROUPS AND INDIVIDUALS

The protection of human rights in the context of the Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS)

Report of the Secretary-General

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Introduction

1. This report has been prepared in accordance with Commission on Human Rights resolution 1997/33 in which the Commission invited all States to consider the Guidelines recommended by the experts who participated in the Second International Consultation on HIV/AIDS and Human Rights (E/CN.4/1997/37, annex I) and requested the Secretary-General to solicit the opinion of Governments, specialized agencies and international and non-governmental organizations on the International Guidelines on HIV/AIDS and Human Rights, their dissemination and implementation, and to prepare for consideration by the Commission at its fifty-fifth session a progress report on the follow-up to its resolution. The Guidelines were summarized in the annex to the resolution.

2. In the same resolution, the Commission also called upon the United Nations High Commissioner for Human Rights and the Joint United Nations Programme on HIV/AIDS (UNAIDS), its co-sponsors and other partners to provide technical cooperation to States, upon the request of Governments when required, for the promotion and protection of human rights in the context of HIV/AIDS.

3. In accordance with paragraph 3 of Commission resolution 1997/33, the Secretary-General sent a note verbale dated 14 September 1998 to all Governments, relevant United Nations bodies, specialized agencies and non-governmental organizations, soliciting their opinion on the International Guidelines. Replies were received from the following Governments: Colombia, Denmark, Germany, Iraq, Israel, New Zealand, Peru, Slovakia, Spain, Sweden, Switzerland, Trinidad and Tobago and Tunisia.

4. Substantive replies were also received from the following United Nations bodies and agencies: Division for ECOSOC Support and Coordination (DESA), Food and Agriculture Organization of the United Nations (FAO), Joint United Nations Programme on HIV/AIDS (UNAIDS), Office for Drug Control and Crime Prevention, United Nations Development Programme (UNDP), and United Nations Industrial Development Organization (UNIDO).

5. The following non-governmental organizations also sent contributions: Associated Country Women of the World, Federación de Mujeres Cubanas, International Organization for the Provision of Work for People with Disabilities and Who Are Occupationally Handicapped (IPWH), Unión Dominicana de Periodistas por la Paz, Inc., and the World Movement of Mothers.

6. In the light of the resolution, this report has been divided into two chapters. The first provides an overview of the opinion of Governments and organizations on the Guidelines, their dissemination and implementation. The second addresses the issue of technical cooperation for the promotion and protection of human rights in the context of HIV/AIDS.

I. THE GUIDELINES, THEIR DISSEMINATION AND IMPLEMENTATION

7. In view of the replies received, this chapter has been subdivided into the following three sections: (a) comments on the Guidelines themselves; (b) comments on the implementation of the Guidelines at national level; and (c) information submitted on the dissemination of the Guidelines.

A. The Guidelines

8. Most Governments and organizations which replied welcomed the Guidelines and expressed support for their dissemination and implementation. DESA added that the Guidelines were comprehensive in scope and represented a good basis, when effectively implemented, for guaranteeing the human rights of those living with, or infected by, HIV/AIDS.

9. Two specific comments were made on the Guidelines themselves. The first comment was made by the Government of Switzerland, which noted that while legislation in the area of public health, criminal laws, correctional systems and the enactment and strengthening of anti-discrimination provisions (Guidelines 3, 4 and 5) was one of the most effective means to promote and protect human rights, amending or implementing legislation was a lengthy process. For people affected by HIV/AIDS, however, immediate action was essential to protect their human rights, requiring both a pragmatic and a legal approach. The second comment was made by IPWH. With regard to the references to "vulnerable groups" and "people with disabilities" in Guidelines 5 and 8, respectively, it was not clear to IPWH why people with disabilities were mentioned in the context of HIV/AIDS. It was suggested that by linking HIV/AIDS and people with disabilities might exacerbate discrimination against disabled people who already suffer from low self-esteem and marginalization by society.

B. Implementation of the Guidelines at the national level

10. The aim of the Guidelines is to translate international human rights standards into practical observance at the national level. The Guidelines follow three broad and interconnected approaches, namely (a) improvement of governmental capacity for acknowledging the Government's responsibility for multisectoral coordination; (b) widespread reform of laws and legal support services with a focus on the status of women, children and vulnerable groups; and (c) support for increased private sector and community participation in the response to HIV/AIDS.

11. Most Governments reported on the measures they have taken in the area of HIV/AIDS control and prevention at the national level, many of which conform to the Guidelines. The information reflected under this heading has been categorized by Guidelines. It should be noted, however, that in view of the relatively small number of replies received, the information presented below should not necessarily be interpreted as representative of a general increase in the activities relating to the protection of human rights in the context of HIV/AIDS or effective implementation of the Guidelines.

Guideline 1

12. Guideline 1 encourages States to establish an effective national framework for the response to the HIV/AIDS epidemic by integrating HIV/AIDS policy and programme responsibilities, across all branches of Government.

13. The Government of Switzerland mentioned that both at the federal and cantonal levels, the health authorities have taken a leadership role for the integration of HIV/AIDS-related activities across all branches of Government.

The Government of Tunisia reported that an advisory technical committee has been established to contribute to the elaboration and follow-up of the national AIDS programme. This committee, composed of representatives of various governmental departments and non-governmental organizations as well as members of various disciplines, has set up study groups, including a subcommittee on ethics and legislation addressing issues of HIV/AIDS and human rights, in particular the rights to equality and non-discrimination. A further intersectoral subcommittee was established to provide advice on treatment and effective medication for persons with HIV/AIDS as well as social and psychological support to affected persons and their families. The Government of Trinidad and Tobago reported that a national AIDS committee and a national AIDS programme have been established with responsibility for HIV/AIDS policy formulation, programme monitoring and evaluation, and programme implementation. In New Zealand, the Ministry of Health is responsible for preparing strategic policy advice on matters relating to HIV/AIDS, preparing relevant guidelines and manuals, and managing the AIDS Medical and Technical Advisory Committee which provides scientific advice on medical and scientific matters related to HIV/AIDS. The Government of Spain reported that the National Commission on AIDS enhances the coordination between the different initiatives and programmes in which the governments of the Autonomous Regions, various departments of the Central Administration and relevant NGOs are represented.

14. With regard to an effective response to the HIV/AIDS epidemic, a number of Governments also reported on their HIV/AIDS and human rights strategy. For example, the Government of Slovakia stated that the strategy of its national programme for HIV/AIDS prevention was based on the principle that prevention includes human rights in general, and non-discrimination and the prohibition of stigmatization in particular. On a more general note, the Governments of Israel, Sweden and Tunisia mentioned that both law and practice in the area of HIV/AIDS were to a large extent consistent with the Guidelines and that the respective Governments were committed to reducing the personal and social impact of the HIV/AIDS epidemic. The Government of Switzerland added that the implementation of its AIDS strategy called for an extensive consultation process with members of civil society, including NGOs and associations of people with HIV/AIDS.

Guideline 2

15. Guideline 2 refers to the provision of political and financial support to ensure that community organizations are able to carry out their activities effectively and that community consultation occurs in all phases of policy design, programme implementation and evaluation.

16. The Government of New Zealand reported that there are many agencies in the community which are active in raising awareness of HIV/AIDS and its prevention, control and treatment. The main organization is the New Zealand AIDS Foundation which assists the Ministry of Health in the development of policy on HIV/AIDS, provides policy advice to the Ministry of Heath, advises and assists both Government and the community on AIDS issues, and operates branches throughout New Zealand which provide support, education, counselling and related services to people with HIV/AIDS. The Government of Spain noted that NGOs are actively involved in the National AIDS Commission and receive

funding for activities in the area of HIV/AIDS prevention and care for persons who are affected by, and infected with, the disease. In Peru, members of civil society, including non-governmental organizations and associations, are called upon by the Government to provide input to HIV/AIDS policy and programmes. In Colombia, NGOs working in the area of HIV/AIDS and representatives of persons with HIV/AIDS participate actively in the National AIDS Council. The Colombian Government also provides financial support to NGOs for HIV/AIDS projects which target the most vulnerable groups within society. The Government of Germany reported that the cooperation between governmental agencies, non-governmental self-help organizations and associations of HIV-infected persons was crucial in the implementation of HIV/AIDS policies and programmes. The Government of Colombia said that the HIV/AIDS programme under the responsibility of the Ministry of Health includes the participation of NGO representatives and the ombudsman.

Guideline 3

17. This Guideline focuses on the review and reform of public health laws to ensure that they address the public health issues raised by HIV/AIDS; that the provisions applicable to casually transmitted diseases are not inappropriately applied to HIV/AIDS; and that they are consistent with international human rights obligations.

18. With regard to these issues, a number of Governments have provided information about the legislation in force in their countries. The Government of Peru reported that legislation has been adopted with regard to blood transfusions, counselling, confidentiality, non-discrimination at the workplace, and access to adequate health care. The Government of New Zealand reported that the Misuse of Drugs Amendment Act of 1987 and the Health Regulation of 1987 provide the legislative and regulatory frameworks of the Needle and Syringe Exchange Programme established to protect injecting drug users and to minimize the spread of HIV. The Government of Colombia said that Decree 1543 described the rights and duties of health professionals, the community, and people with HIV/AIDS. The Government of Germany reported that the health legislation currently in force, including the Federal Communicable Disease Act and/or the Act on Sexually Transmitted Diseases, conforms to the international guidelines.

Guideline 4

19. In this Guideline reference is made to the review and reform of criminal laws and correctional systems to ensure that they are consistent with international human rights obligations; are not misused in the context of HIV/AIDS; and are not targeted against vulnerable groups.

20. The Government of New Zealand mentioned that the Ministry of Heath has provided advice to the Department of Corrections on the development of new policies and programmes for medical care of prisoners, including HIV/AIDS prevention and treatment programmes. The Government of Spain stated that in this regard, there existed no specific legislation on HIV/AIDS but in general, the principle of non-discrimination was guaranteed for prisoners infected with the virus who enjoyed the same rights as other prisoners.

Guideline 5

21. Guideline 5 encourages States to enact or strengthen anti-discrimination and other protective laws to protect vulnerable groups, people living with HIV/AIDS and people with disabilities from discrimination in both the public and private sectors; ensure privacy and confidentiality; ensure ethics in research involving human subjects; and provide for speedy and effective administrative and civil remedies when the laws are breached.

22. The Government of Denmark reported that the efforts to combat HIV/AIDS were based on anonymity, direct and honest information, and the respect of the rights of the individual to confidentiality and non-discrimination. The Government of Spain reported that while there exists no specific anti-discrimination legislation with regard to HIV/AIDS, the Spanish Constitution guarantees equality before the law and protection from discrimination on the basis of health status. In particular, AIDS testing is prohibited for employment purposes and for securing insurance contracts. The Government of Colombia reported that Decree 1543/97 focused on the respect for the dignity of persons with HIV/AIDS, their rights, and the prohibition of any form of discrimination. The Government of Germany said that voluntary testing is available and confidentiality is respected. The Government of Trinidad and Tobago said that legislation adopted by Parliament ensures respect of the rights to equality and non-discrimination. In this connection, the judicial authorities of Trinidad and Tobago have compiled a working paper on the impact of HIV/AIDS on criminal, public health and anti-discrimination law. The paper was made available for public comment with a view to assisting the State in arriving at definitive policy decisions in this regard. Furthermore, a national policy on HIV/AIDS in the workplace has been elaborated by the National AIDS Programme. It is expected that this policy will be formally introduced in the near future to guide employment practices in the public and private sectors. The Government of New Zealand stated that in domestic law, human rights are affirmed in the New Zealand Bill of Rights Act 1990, the Human Rights Act 1993, and the Privacy Act 1993. The importance of patients' rights is reflected in statutory rights relating to the giving of informed consent, the ability to refuse treatment, and a duty of confidentiality in relation to health information. The Human Rights Act 1993 includes sexual orientation as a new prohibited ground of discrimination and protects those who have HIV/AIDS, or who are assumed to be infected, from discrimination in the areas of employment, accommodation, access to public places, provision of goods and services and educational facilities. The Government of Sweden mentioned that a committee was currently analysing the rules in the Communicable Disease Act in order to identify whether any reference is made to coercive measures as regards HIV-infected persons.

Guideline 6

23. This Guideline recommends that States enact laws and regulations to ensure the widespread availability of good quality prevention measures and services; adequate prevention and care information, and safe, effective and affordable medication.

24. The Government of Peru reported that low-cost health and other services were guaranteed to persons infected and affected by HIV/AIDS. The Government

of Spain stated that the costs of HIV/AIDS health services, including treatment, were borne by the national health system. The Government of Germany said that medical and psychosocial help was guaranteed for persons who have become infected with the virus or are suffering from AIDS. The Government of Trinidad and Tobago reported that diagnosis, treatment and counselling facilities have been set up in various parts of the country by both the public and private sectors in order to meet the needs of citizens. Furthermore, a national Ethics Committee has been appointed to examine the medical, ethical and legal issues involved in the possible local testing of an AIDS vaccine. The Government of Israel reported that within the framework of its national AIDS programme, proper care is provided to all people with HIV, all of whom enjoy the benefits of the National Health Insurance system. Non-discrimination in the areas of access to medical and dental services and counselling is guaranteed, HIV testing is voluntary and medical confidentiality is strictly observed. The Government of Iraq said that free medication is provided for persons with HIV/AIDS, and in Tunisia persons with HIV/AIDS are granted free hospital treatment. The Federación de Mujeres Cubanas suggested that medication and treatment for HIV/AIDS should be free of charge.

Guideline 7

25. Guideline 7 calls on States to implement and fund legal support services that will: educate people about their rights; provide free legal services to enforce these rights; develop expertise on HIV-related issues; and utilize the courts and other means to protect the rights of individuals.

26. The Government of Peru said that few institutions were as yet providing free legal assistance to persons with HIV/AIDS but such services are currently being developed. The Government of Spain reported that financial assistance is granted to NGOs providing legal assistance to persons with HIV/AIDS. It was further reported that the Constitution of Colombia provides for the protection of the rights of persons with HIV/AIDS.

Guideline 8

27. This Guideline encourages the promotion of a supportive and enabling environment for women, children and other vulnerable groups by addressing underlying prejudices and inequalities through community dialogue.

28. The Government of Spain said that several programmes and activities are being implemented with the aim of reducing prejudice and discrimination against vulnerable population groups such as women, youth and drug users. The Government of Colombia reported that educational and training materials and information programmes about HIV/AIDS have been developed, targeting in particular the most vulnerable groups of the population. The Health Department has also provided support for the publication of a document on the rights and duties of the health staff, the community, and people living with HIV/AIDS. In New Zealand, comprehensive sexual health services for women and children are available including clinical counselling, testing and treatment services, and health promotion and prevention services. In addition, there are several government agencies which have been established to represent and promote the rights of various groups including Maori, youth, children and

women. One of the key government strategies is Strengthening Families to improve family health and educational attainments and to reduce the incidence of persistent offending and abuse and neglect. Furthermore, there exist in New Zealand a whole range of government agencies to cater for the interests of various groups such as the Health and Disability Commissioner, the Ombudsman, the Privacy Commissioner, the Ministry of Youth Affairs, the Ministry of Women's Affairs and the Ministry of Maori Development. The World Movement of Mothers stressed the need to pay particular attention to children who have been orphaned by the disease, the health of mothers and children, the dissemination of information on mother-to-child transmission of HIV, the prohibition of trafficking in and sexual exploitation of children, the protection against recruitment of child soldiers, and the encouragement of a protective environment for women and children infected and affected by HIV/AIDS. The Federación de Mujeres Cubanas also stressed the need to protect and promote the rights of women in the context of HIV/AIDS, particularly in the light of the Beijing Platform for Action.

29. FAO submitted information on the issue of rural children affected by HIV/AIDS and referred to a report entitled "Rural children living in farm systems affected by HIV/AIDS: some issues for the rights of the child on the basis of FAO HIV/AIDS studies in Africa". This report raises the issue of the impact of HIV/AIDS on rural farming systems, in particular the types of coping mechanisms set up and responses adopted to mitigate the consequences of the epidemic. Specific reference was made to the fact that HIV/AIDS has a direct impact on rural children and women of farming communities through sickness, death or the death of family members. HIV/AIDS also affects the amount and distribution of labour, on the one hand, and the availability of assets on the other, thereby undermining food security. In this connection, specific reference was made to the need to promote and protect the right of children to be actors in their own development and to consult rural communities and the children themselves on the problems, priorities and necessary programmes to meet their needs in the face of HIV/AIDS.

Guideline 9

30. Guideline 9 recommends that States promote and support creative educational, training and media programmes designed to change attitudes of discrimination and stigmatization associated with HIV/AIDS to understanding and acceptance.

31. In Switzerland, national publicity campaigns such as the "Stop AIDS Campaign" have increased solidarity among all members of civil society in combating the disease and preventing further infections. The Government of Iraq said that counselling and information on HIV/AIDS are available. The Government of Tunisia stated that a subcommittee entrusted with providing information and education about HIV/AIDS has been established. The Unión Dominicana de Periodistas por la Paz, Inc. reported that legislation in the Dominican Republic provides for an obligation, within the context of HIV/AIDS, to teach sexual education. The Government of Slovakia stated that the annual national multisectoral conferences on the prevention of HIV/AIDS in Slovakia serve as professional training for health-care staff, especially those involved in prevention activities. More specifically, the issue of HIV/AIDS and human rights was included in the professional training workshops targeted

at the student population. Slovakia has also launched educational media campaigns on the prevention of HIV/AIDS and the need to respect the human rights of persons affected by the disease. In Peru, education and information campaigns contribute to better understanding of the disease, changing discriminatory attitudes and fostering acceptance of HIV/AIDS-affected persons among the population. The Government of Trinidad and Tobago reported that non-governmental organizations play a vital role in educating the public, especially the country's youth, through information dissemination and counselling. The Government has also supported education, training and mass media campaigns aimed at sensitizing the population about HIV/AIDS and eliminating the stigma associated with the disease. The Government of Germany said that it has launched large-scale public education and information campaigns about the modes of transmission of HIV thereby reducing misconceptions about the disease and allaying unfounded fears about its possible modes of transmission.

32. Information has also been submitted by the Associated Country Women of the World (ACWW) about concrete NGO projects aimed at increasing awareness about HIV/AIDS prevention and control. Examples of such projects were drawn from experiences in Uganda, South Africa and India. For example, the Uganda Indigenous Women's Club, a member society of the ACWW, is undertaking a project in the Buwamdo community to raise awareness around issues related to HIV/AIDS through gender/AIDS mobilization workshops and AIDS drama groups. In South Africa, Kontak, also a member society, has produced a highly informative comic book for children of school age aimed at raising awareness of how the disease is transmitted, dispelling erroneous ideas and reducing unwarranted fears about the disease. A further example concerns a project carried out by the Society of Daughters of Mary Immaculate in parts of Andhra Pradesh and Tamil Nadu in India where community health directors and specialists in HIV/AIDS conduct training programmes and raise awareness about HIV/AIDS, including its modes of transmission and prevention. At its Triennial Conference of April 1998 the ACWW adopted a resolution stating that "ACWW member societies urge their governments, as a priority, to implement sustainable educational and awareness programmes aimed at containing the spread of the HIV virus ...."

Guideline 10

33. Guideline 10 recommends that States should ensure that HIV/AIDS-specific professional codes of conduct incorporating human rights principles are developed and a mechanism for their implementation and enforcement provided.

34. The Government of Spain reported that recommendations on medical procedures related to HIV/AIDS have taken human rights principles into consideration and that ethical codes of conduct have been developed. The Government of Peru stated that HIV/AIDS-specific codes have not been adopted but that the right to health care and the right to protection of all persons, including the infected, have been widely recognized.

Guideline 11

35. This Guideline requires States to ensure monitoring and enforcement mechanisms to guarantee the human rights of people living with HIV/AIDS, their families and communities.

36. The Government of Peru reported that the legal system defended all citizens and provided redress for people living with HIV/AIDS whose rights have been violated.

Guideline 12

37. Guideline 12 refers to international cooperation, through UNAIDS and other United Nations agencies and programmes, to allow States to share knowledge and experience on HIV-related human rights issues, and to ensure that there are effective mechanisms at the international level to protect human rights in the context of HIV/AIDS.

38. The Government of Germany reported that cooperation with UNAIDS takes place at the local, regional and national levels in the form of a continuous exchange of experience and participation in planning and evaluation seminars and joint research projects. In addition, the Government cooperates with the International Committee of the Red Cross, NGOs operating worldwide and large Church associations. The Government of Spain reported that it cooperates with UNAIDS, exchanging information and experiences, providing epidemiological information and developing joint programmes, especially with South America. The Government of New Zealand reported that the Ministry of Health maintains a number of international links on HIV/AIDS, including with UNAIDS and the World Health Organization (WHO), which provide forums for the discussion of current and emerging issues relating to HIV/AIDS. Trinidad and Tobago recognized that the upholding of the fundamental rights of individuals is paramount, especially in the context of HIV/AIDS, and, to this end, has facilitated the hosting of conferences by UNAIDS and regional agencies and has also been represented at various international forums dealing with HIV/AIDS.

39. A number of Governments submitted information about their projects in the field of development cooperation and the sharing of knowledge and experience with the issue of HIV/AIDS and human rights with other countries on a bilateral level. The Government of Sweden reported that the Swedish International Development Agency (SIDA) will shortly present an HIV/AIDS strategy entitled "Investment for future generations". The strategy aims to be a tool to assist actors within Swedish development cooperation to better understand the complexity of HIV/AIDS and to select and assess activities proposed for support. In implementing the strategy, Sweden intends to build partnerships, share information and encourage collaboration among the many actors involved in the area, which intends to be multisectoral. The aims include the following: to enable people to protect themselves against HIV infection; to promote safer sexual behaviour, access to treatment for sexually transmitted diseases and a safe, effective and affordable vaccine against HIV, and to foster commitment for HIV prevention programmes among policy makers by focusing on the linkages between HIV/AIDS, poverty, gender and sustainable development, freedom from discrimination and respect for human rights. The

Government of Germany also referred to bilateral and multilateral cooperation of the Federal Government, with a special emphasis on HIV/AIDS control in developing countries. Such assistance has included the provision of medical equipment and goods, product-specific advertising campaigns and information on the risks of HIV/AIDS infection and preventive measures.

C. Dissemination of the Guidelines

40. UNAIDS reported that the Guidelines, in the form of a joint publication of the Office of the High Commissioner for Human Rights (OHCHR) and UNAIDS, have been disseminated widely to Governments, non-governmental organizations, AIDS service organizations, networks of people living with HIV/AIDS, regional bodies and agencies, intergovernmental organizations as well as United Nations agencies and programmes.

II. TECHNICAL COOPERATION FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN THE CONTEXT OF HIV/AIDS

41. The responses received from UNAIDS and some of its co-sponsors included information on assistance in the field of technical cooperation for the promotion and protection of human rights in the context of HIV/AIDS. In many instances, however, technical cooperation is being provided within a broader perspective, rather than "at the request of Governments when required". Many of the activities in the field of technical cooperation as described below have involved, in one way or another, OHCHR and/or UNAIDS and one or more of their co-sponsors.

Dissemination of the Guidelines

42. With regard to the dissemination of the Guidelines and making their content better known among the international community, UNAIDS reported on three specific activities. In 1997, UNAIDS provided technical and financial support to the International Council of AIDS Service Organizations to produce the publication "NGO summary of the International Guidelines on HIV/AIDS and human rights", an "advocate's guide" to the issue. This material was distributed in English, French and Spanish at the Regional Conferences on AIDS in Côte d'Ivoire, the Philippines and Peru. Copies have also been used in workshops on HIV/AIDS and human rights in the Asian-Pacific region and these documents and the Guidelines were distributed at the 12th World AIDS Conference held in Geneva in June 1998. During the fifty-fourth session of the Commission on Human Rights in April 1998, UNAIDS and OHCHR conducted two briefing sessions, one for Governments and one for NGOs, which focused on the dissemination and implementation of the Guidelines. At these sessions, Governments and NGOs shared ideas on ways in which the Guidelines could be realized at the national level. In June 1998, prior to the 12th World AIDS Conference, UNAIDS, in consultation with OHCHR and the International Council for AIDS Service Organizations, convened a workshop for representatives of human rights and HIV-related NGOs. The workshop identified ways in which these groups can promote a joint human rights agenda, and disseminate and promote the Guidelines.

43. UNAIDS also provided information on a number of handbooks on the implementation of the Guidelines for specific target groups. In this

connection, UNAIDS hosted a meeting for National AIDS Programme Managers attending the 12th World AIDS Conference to inform them about the Guidelines and to elaborate a process for the preparation of a handbook on the Guidelines for National AIDS Programme Managers. The handbook will document the principles of the Guidelines, analyse these principles from the perspective of the legislator and National AIDS Programme Managers, respectively, and cite best practice examples of the processes already adopted and activities undertaken in these areas by some countries. UNAIDS, in consultation with the Inter-Parliamentary Union (IPU), is currently preparing a handbook for parliamentarians and legislators on the Guidelines. This activity follows upon the resolution on "Action to combat HIV/AIDS in view of its devastating human, economic and social impact" adopted by the IPU at its 99th Conference held in April 1998. Training on the Guidelines has begun for parliamentarians, lawyers and representatives of civil society in Eastern Europe/Commonwealth of Independent States.

Review and reform of criminal laws and correctional systems

44. With regard to the review and reform of criminal laws and correctional systems, UNDP reported that it has conducted a series of three regional training workshops on HIV law and law reform in Colombo, Beijing and Nadi, Fiji, and supported a meeting on the subject of law reform in the context of HIV/AIDS and human rights in Bangalore, India, organized by the Indian Law Institute. The reports and papers of these workshops have been published and widely disseminated in the region. UNDP has also stimulated and supported regional networks on legal, ethical and human rights in Asia, the Pacific region, Africa and Latin America. Statements and declarations which have emanated from these consultations, especially at the regional level include Law, Ethics and Human Rights, Statement of Belief adopted at the UNDP Intercountry Consultation held in Cebu, Philippines, 3-6 May 1993, and Africa Networks on Ethics, Law and HIV: Dakar Declaration, adopted at the Intercountry Consultation held in Dakar, 27 June-1 July 1994.

45. The Office for Drug Control and Crime Prevention mentioned that the Guidelines were taken into account in its training materials for prison officials, particularly as related to the principles on the review and reform of criminal laws and correctional systems. In this connection, reference was made to the "WHO guidelines on HIV infection and AIDS in prisons" of March 1993, a document that is used as background material in some of the Office's technical cooperation activities.

Capacity-building with regard to HIV/AIDS and human rights

46. UNDP reported that at country level, it has supported, through its own programmes and projects, capacity-building to address human rights issues in the context of HIV and AIDS and has participated in joint initiatives with the Secretariat and co-sponsors of UNAIDS. In Latin America, for example, UNDP has supported national consultations on ethics, human rights and HIV/AIDS and the establishment of national networks in Brazil, Venezuela and Nicaragua. Support was also provided for the elaboration of legislation on HIV/AIDS and human rights in Nicaragua. In Asia, UNDP has worked closely with NGOs and others involved in human rights issues such as Alterlaw in the Philippines and the Lawyers Collective in Mumbai, India, with a view to strengthening

networking on the issue. The UNDP regional project on HIV and development in Africa continues to support and facilitate the expansion of that region's network on ethics, law, human rights and HIV. In the Asian-Pacific region, renewed regional programming is commencing which will focus on strengthening national and regional capacities to address HIV/AIDS and human rights issues and to share experiences and support through networks. Cooperation between the Asian-Pacific regional programmes on HIV/AIDS, governance and gender is expected to develop synergies and create opportunities for widening the base of individual and organizational involvement in rights issues in line with the Guidelines.

Integration of the Guidelines into the policies and activities of United Nations bodies and programmes

47. In their responses, a number of United Nations bodies and agencies provided examples of the ways in which the Guidelines are being integrated into their policies and programmes at the national level. Such examples were provided by UNDP, the Office for Drug Control and Crime Prevention and DESA. In the context of UNDP's role both as a development agency with a policy on human rights and a co-sponsor of UNAIDS with a track record in legal, ethical and human rights, UNDP consistently works to integrate the Guidelines into its development programmes and projects. Among some of the earliest work undertaken by UNDP following the creation of the HIV and Development Programme (HDP) in 1991 was to enhance understanding of these issues and to strengthen capacities at the country and regional levels for effective action. DESA confirmed that the Guidelines would be taken into account in the various activities of the Division's work programmes.